

JOHN CHOON YOO

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PRESENT POSITION

*University of California at Berkeley School of Law, Berkeley, CA*  
Emanuel S. Heller Professor of Law, 2013-present.  
Professor of Law. 1999-2013.  
Acting Professor of Law. 1993-99.

Co-Director, Korea Law Center, 2013-present.  
Director, Public Law and Governance Program, 2013-present.  
Director, Veterans' Law Practicum, 2009-present.  
Director, J.S.D. Program, 2012-present.  
Faculty Board Member, Miller Institute for Global Challenges and the Law, 2007-present.  
Director, Advanced Law Degree Program, 2004-2008.  
Director, International Legal Studies Program, 1999-2001.

Subjects: Constitutional Law, International Law, Foreign Relations Law, International Litigation,  
Civil Procedure, Constitutional Design

*American Enterprise Institute, Washington, D.C.*  
Visiting Scholar, 2003-present.

PREVIOUS POSITIONS

*Radzyner Law School, Interdisciplinary Center, Herzliya, Israel*  
Visiting Professor of Law, May 2015.

*Keio University, Department of Law and Political Science, Tokyo, Japan*  
Visiting Professor of Law, March 2015.

*Seoul National University School of Law, Seoul, South Korea*  
Visiting Professor of Law, Summer 2014.

*Chapman Law School, Orange CA*  
Fletcher Jones Distinguished Visiting Professor of Law. Spring, 2009.

*University of Trento, Italy*  
Fulbright Distinguished Chair in Law, Spring, 2006.

*University of Chicago Law School, Chicago IL*  
Visiting Professor of Law. Fall, 2003.

*Office of Legal Counsel, U.S. Department of Justice, Washington, D.C.*  
Deputy Assistant Attorney General. 2001-03.

*Committee on the Judiciary, U.S. Senate, Washington, D.C.*  
General Counsel. 1995-1996.

*Justice Clarence Thomas, Washington, D.C.*  
Law Clerk. U.S. Supreme Court. 1994-95.

*Judge Laurence H. Silberman, Washington, D.C.*  
Law Clerk. U.S. Court of Appeals for the D.C. Circuit. 1992-93.

#### EDUCATION

*Yale Law School*  
J.D., 1992  
Articles Editor, *Yale Law Journal*  
Teaching Assistant, Prof. Harold Koh  
Research Assistant, Prof. Stephen Carter  
Yale Advisory Committee on Investor Responsibility

*Harvard University*  
A.B., *summa cum laude*, History, 1989  
History Dept. Prize, Washburn Prize, Detur Prize, Phi Beta Kappa, Harvard Scholarship  
Deputy Editorial Chairman, *The Harvard Crimson*

#### PROFESSIONAL ACTIVITIES

Executive Board, Separation of Powers & Federalism Division, Federalist Society.  
Chancellor's Distinguished Fellow, University of California at Irvine, 2005.  
Visiting Scholar, National Constitution Center, 2004.  
Bellagio Fellowship, Rockefeller Foundation, 2003.  
Best Lawyers Under 40, National Asian Pacific American Bar Association, 2002.  
Liberty Award, Institute for Corean-American Studies, 2002.  
Paul M. Bator Award, Federalist Society, 2001.  
Chair, Section on Scholarship, Association of American Law Schools, 2000.  
Scholar-in-Residence, George Washington University Law School, 1998-99  
John M. Olin Foundation Fellowship, 1998-99  
Visiting Professor, Free University of Amsterdam, 1998  
Junior Faculty Research Grant, University of California, Berkeley, 1997-98  
Salvatori Fellowship, Heritage Foundation, Washington, D.C., 1997

American-German Young Leader, American Council on Germany, 1997

Board of Advisors, Claremont Institute Center for Constitutional Jurisprudence  
Advisory Committee, Standing Comm. on Law and National Security, Am. Bar Assoc.  
Scholars Advisory Panel, National Constitution Center  
Board of Advisors, *Berkeley Journal of International Law*

Advisory Committee, Department of Justice Transition Team, Bush/Cheney Transition  
Co-Chair, Law Professors for Bush/Cheney, 2000  
Director, Harvard Alumni Association, 2000-03  
Executive Committee, Yale Law School, 2003-07  
Bar of the Commonwealth of Pennsylvania  
Federalist Society  
Society of Historians of American Foreign Relations

## PUBLICATIONS

### Books

*Rise of the Machines: Drones, Viruses, and the Future of War* (Encounter Books forthcoming 2017) (w/Jeremy Rabkin)

*Liberty's Nemesis: The Unchecked Expansion of the State* (Encounter Books 2016) (co-edited w/Dean Reuter).

*Current Issues in Korean Law* (Robbins Collection Press, 2015) (co-edited with Laurent Mayali).

*Point of Attack: War and Law for the 21<sup>st</sup> Century* (Oxford University Press 2014).

*Taming Globalization: International Law, the U.S. Constitution, and the New World Order* (Oxford University Press 2012) (w/Julian Ku).

*Confronting Terror: 9/11 and the Future of American National Security* (Encounter Books 2011) (co-edited w/Dean Reuter)

*Crisis and Command: A History of Executive Power from George Washington to George W. Bush* (Kaplan 2010).

*War By Other Means: An Insider's Account of the War on Terrorism* (Atlantic Monthly Press, 2006).

*The Powers of War and Peace: the Constitution and Foreign Affairs After 9/11* (University of Chicago Press, 2005)

### Articles and Essays

*Rationalist War and New Weapons*, 105 Cal. L. Rev. \_\_\_\_ (2017) (forthcoming).

*The People are not a Legislature*, 40 Harv. J. L. & Pub. Pol'y \_\_\_\_ (2016) (forthcoming) (with Sai Prakash).

*Judicial Supremacy has its Limits*, 20 Tex. Rev. L. & Pol. 1 (2016).

*After Bond: The Treaty Power and American Federalism*, 90 Notre Dame L. Rev. 1607 (2015) (with Julian Ku).

*Saving Originalism*, 113 Mich. L. Rev. 1081 (2015) (with Robert Delahunty).

*A Return to Coercion: International Law and New Weapons Technologies*, 42 Hofstra L. Rev. 1187 (2014) (w/Jeremy Rabkin)

*The Legality of the National Security Agency's Bulk Data Surveillance Programs*, 37 Harv. J. L. & Pub Pol'y 901 (2014).

*Lincoln at War*, 38 Vermont L. Rev. 3 (2014).

*Taming Judicial Activism: Judge Robert Bork's Coercing Virtue*, 80 U. Chi. L. Rev. Dialogue 257 (2013)

*Globalization and Sovereignty*, 31 Berkeley J. Int'l L. 210 (2013) (with Julian Ku).

*Dream On: The Obama Administration's Nonenforcement of Immigration Laws, the DREAM Act, and the Take Care Clause*, 91 Tex. L. Rev. 781 (2013) (with Robert Delahunty).

*President Obama and the Framers's Presidency*, 36 Harv. J. L. & Pub. Pol'y 73 (2013).

*From Just War to False Peace*, 13 Chi. J. Int'l L. 1 (2012) (with Robert Delahunty).

*Rational Treaties: Article II, Congressional-Executive Agreements, and International Bargaining*, 97 Cornell L. Rev. 1 (2011).

*Globalization and the 21<sup>st</sup> Century Constitution*, 53 Wm. & Mary L. Rev. 431 (2011).

*Assassination or Targeted Killings After 9/11*, 56 N.Y.L.S. 57 (2011).

*Fixing Failed States*, 99 Cal. L. Rev. 95 (2011).

*George Washington and Presidential Power*, 5 St. Thomas J. L. & Pub. Pol'y 1 (2010).

*Kant, Habermas, and the Democratic Peace*, 10 Chi. J. Int'l L. 437 (2010) (with Robert Delahunty).

*What is the Role of International Human Rights Law in the War on Terror?*, 59 DePaul L. Rev. 803 (2010) (with Robert Delahunty)

*Unitary, Executive, or Both?* 76 U. Chi. L. Rev. 1935 (2009) (review essay).

*The Future of Universal Human Rights*, 16 Brown J. World Aff. 15 (Winter 2009).

*Merryman, Milligan (and McCardle)*, 34 J. S.Ct. Hist. 243 (2009)

*Lincoln and Habeas: Of Merryman and Milligan and McCardle*, 12 *Chapman L. Rev.* 505 (2009).

*Great Power Security*, 10 *Chi. J. Int'l L.* 35 (2009) (with Robert Delahunty).

*Administration of War*, 58 *Duke L.J.* 2277 (2009).

*The Bush Doctrine: Can Preventive War be Justified*, 32 *Harv. J. L. & Pub. Pol'y* 843 (2009) (with Robert Delahunty).

*Jackson and Presidential Power*, 2 *Charleston L. Rev.* 521 (2008).

*Jefferson and Executive Power*, 88 *B.U. L. Rev.* 421 (2008).

*Can the Government Prohibit Gay Marriage?*, 50 *S. Tex. L. Rev.* 15 (2008) (with Jesse Choper).

*Peace Through Law?: The Failure of a Noble Experiment*, 106 *Mich. L. Rev.* 923 (2008) (book review of *All Quiet on the Western Front*) (with Robert Delahunty).

*Katz and the War on Terrorism*, 41 *U.C. Davis L. Rev.* 1219 (2008) (with Glenn Sulmasy).

*Wartime Process: A Dialogue on Congressional Power to Remove Issues from the Federal Courts*, 95 *Cal. L. Rev.* 1243 (2007) (with Jesse Choper).

*Making War*, 93 *Cornell L. Rev.* 123 (2007) (with Robert Delahunty).

*Challenges to Civilian Control of the Military: A Rational Choice Approach to the War on Terror*, 54 *UCLA L. Rev.* 1815 (2007) (with Glenn Sulmasy).

*Counterintuitive: Intelligence Operations and International Law*, 28 *Mich. J. Int'l L.* 625-638 (2007) (with Glenn Sulmasy).

*The Terrorist Surveillance Program and the Constitution*, 14 *George Mason Univ. L. Rev.* 565 (2007).

*Hamdan v. Rumsfeld: The Functional Case for Foreign Affairs Deference to the Executive*, 23 *Const'l Commentary* 179 (2007) (with Julian Ku).

*The Proliferation Security Initiative: A Model for International Cooperation*, 35 *Hofstra L. Rev.* 405 (2006) (with Glenn Sulmasy).

*Executive Power vs. International Law*, 30 *Harv. J. L. & Pub. Pol'y* 73 (2006) (with Robert

Delahunty)

*National Security and the Rehnquist Court*, 74 Geo. Wash. L. Rev. 1144 (2006).

*The Imperial Judiciary at War*, CATO Supreme Court Review (2006).

*Rational War and Constitutional Design*, 115 Yale L.J. 2512 (2006) (with Jide Nzelibe).

*International Law and the Rise of China*, 7 Chi. J. Int'l L. 1 (2006).

*Statehood and the Third Geneva Convention*, 46 Va. J. Int'l L. 131 (2006) (with Robert Delahunty).

*Courts at War*, 91 Cornell L. Rev. 573 (2006). (T)

*Effective Alternatives to Causes of Action Barred by the Eleventh Amendment*, 50 N.Y.L. Sch. L. Rev. 715 (2006) (with Jesse Choper)

*Who's So Afraid of the Eleventh Amendment?* 105 Colum. L. Rev. 213 (2006) (with Jesse Choper) (JR)

*Force Rules: U.N. Reform and Intervention*, 6 Chi. J. Int'l L. 641 (2006). (IL)

*Against Foreign Law*, 29 Harv. J. L. Pub. Pol'y 291 (2005) (with Robert Delahunty). (JR)

*Standards of International Law Scholarship: A Reply to Helfer & Slaughter*, 93 Cal. L. Rev. 957 (2005) (with Eric Posner). (IL)

*A Conservative Critique of the Federal Marriage Amendment*, 32 Hastings Const. L. Q. 725-36 (2005) (with Anntim Vulchev) (JR)

*Thinking About Presidents*, 90 Cornell L. Rev. 1153 (2005) (with Robert Delahunty). (JR)

*Takings Issues in the Approval of Generic Biologics*, 60 Food & Drug L.J. 33 (2005). (none)

*Against Interpretational Supremacy*, 103 Mich. L. Rev. 1539 (2005) (with Sai Prakash) (JR)

*Beyond Formalism in Foreign Affairs: A Functional Approach to the Alien Tort Statute*, 2004 S. Ct. Rev. 153 (2005) (with Julian Ku) (FR)

*Judicial Independence and International Adjudication*, 93 Cal. L. Rev. 1 (2005) (with Eric Posner) (IL)

*Less than Bargained for: The Use of Force and the Declining Significance of the United Nations*, 5 Chicago J. Int'l L. 379 (2005) (with William Trachman) (IL)

*Peeking Abroad: The Supreme Court's Use of Foreign Precedents*, 26 Hawaii L. Rev. 385 (2004) (JR)

*War, Responsibility, and the Age of Terrorism*, 57 Stan. L. Rev. 793 (2004). (FR)

*Iraqi Reconstruction and the Law of Occupation*, 11 U.C. Davis J. Int'l L & Pol'y 7 (2004). (IL)

*Judicial Safeguards of Federalism and the Environment: Yucca Mountain from a Constitutional Perspective*, 75 U. Colo. L. Rev. 1317 (2004) (with Jennifer Koester). (JR)

*Using Force*, 71 U. Chi. L. Rev. 729 (2004). (IL)

*Transferring Terrorists*, 79 Notre Dame L. Rev. 1183 (2004) (T)

*The Status of Soldiers and Terrorists under the Geneva Conventions*, 3 Chinese J. Int'l L. 135 (2004). (T)

*Judicial Review and the War on Terrorism*, 72 GWU L. Rev. 427 (2003) (T)

*Questions for the Critics of Judicial Review*, 72 GWU L. Rev. 354 (2003) (with Sai Prakash)

*The Status of Terrorists*, 44 Va. J. Int'l L. 207 (2003) (with James Ho).

*International Law and the War in Iraq*, 97 Am. J. Int'l L. 563 (2003).

*The Origins of Judicial Review*, 70 U. Chi. L. Rev. 887 (2003) (with Sai Prakash).

*Applying the War Powers Resolution to the War on Terrorism*, 6 Greenbag 2d 175 (2003)

*War and the Constitutional Text*, 69 U. Chi. L. Rev. 1639-84 (2002).

*The False Sirens of Delegation: Treaty Interpretation and Separation of Powers*, 90 Cal. L. Rev. 1305-43 (2002).

*The President's Constitutional Authority to Conduct Military Operations Against Terrorist Organizations and the Nations that Harbor or Support Them*, 25 Harv. J. L. & Pub. Policy 487-517 (2002) (with Robert Delahunty).

*Politics as Laws?: The ABM Treaty, the Separation of Powers, and Treaty Interpretation*, 89 Cal. L. Rev. 851-915 (2001).



*The Puzzling Persistence of Process-Based Federalism Theories*, 79 Tex. L. Rev. 1459-1523 (2001) (with Sai Prakash).

*Laws as Treaties?: The Constitutionality of the Congressional-Executive Agreement*, 99 Mich. L. Rev. 757-852 (2001).

*Bush v. Gore: In Defense of the Court's Legitimacy*, 68 U. Chi. L. Rev. 775-791 (2001)

*The Scope of the Commerce Clause After Morrison*, 25 OKCU L. Rev. 843-868 (2000) (with Jesse Choper)

*U.N. Wars, U.S. War Powers*, 1 Chi. J. Int'l L. 355-73 (2000).

*Why Were International Legal Scholars MIA on Kosovo?*, 1 Chicago J. Int'l L. 149-57 (2000).

*Choosing Justices: A Political Appointments Process and the Wages of Judicial Supremacy*, 98 Mich. L. Rev. 1436-67 (2000) (review essay).

*Kosovo, War Powers, and the Multilateral Future*, 148 U. Pa. L. Rev. 1673-1731 (2000).

*Treaties and Public Lawmaking: A Textual and Structural Defense of Non-Self-Execution*, 99 Colum. L. Rev. 2218-2252 (1999).

*Globalism and the Constitution: Treaties, Legislative Power, and the Original Understanding*, 99 Colum. L. Rev. 1955-2100 (1999).

*Clio at War: The Use and Misuse of History in the War Powers Debate*, 70 U. Colo. L. Rev. 1169-1222 (1999).

*The First Claim: The Burr Trial, United States v. Nixon, and Presidential Power*, 83 Minn. L. Rev. 1435-79 (1999).

*Lawyers in Congress*, 61 L. & Contemporary Problems vol.2 1-19 (1998).

*Sounds of Sovereignty: Defining Federalism in the 1990s*, 32 Ind. L. Rev. 27-44 (1998).

*Judicial Review and Federalism*, 22 Harv. J. L. & Pub. Pol'y 197 (1998).

*The New Sovereignty and the Old Constitution: The Chemical Weapons Convention and the Appointments Clause*, 15 Constitutional Commentary 87-130 (1998).

*The Judicial Safeguards of Federalism*, 70 S. Cal. L. Rev. 1311-1405 (1997).

*Federal Courts as Weapons of Foreign Policy: The Case of the Helms-Burton Act*, 20 *Hastings Int'l & Comp. L. Rev.* 747-76 (1997)

*Who Measures the Chancellor's Foot?: The Inherent Remedial Powers of the Federal Courts*, 84 *Cal. L. Rev.* 1121-1177 (1996).

*The Continuation of Politics by Other Means: The Original Understanding of War Powers*, 84 *Cal. L. Rev.* 167-305 (1996).

*Our Declaratory Ninth Amendment*, 42 *Emory L.J.* 967-1043 (1993).

*Dollar Diplomacy/Dollar Defense: The Fabric of Economics and National Security Law*, 26 *Int'l Law.* 715 (1992) (with Harold Koh).

*Marshall's Plan: The Early Supreme Court and Statutory Interpretation*, 101 *Yale L.J.* 1607 (1992).

#### Book Chapters

*Conclusion in Current Issues in Korean Law* 205 (Robbins Collection Press, 2014) (co-edited with Laurent Mayali).

*Constitutional War and the Political Process in Patriots Debate: Contemporary Issues in National Security Law* 4 (Harvey Rishikof et al. eds., 2012).

*The Modern Executive Tames Obama*, in *Executive Power in Theory and Practice* 199 (Hugh Liebert et al. eds., 2012)

*International Human Rights Law and the War on Terror*, in *Routledge International Handbook of Human Rights* 610 (Thomas Cushman ed. 2012) (with Robert Delahunty).

*Conclusion*, in *Confronting Terror: 9/11 and the Future of American National Security* (Dean Reuter and John Yoo eds., Encounter Books 2011)

*Interrogation*, in *Confronting Terror: 9/11 and the Future of American National Security* (Dean Reuter and John Yoo eds., Encounter Books 2011)

*Counterterrorism and the Constitution: Does Providing Security Require a Trade-off with Civil Liberties? Yes* in *Debating Terrorism and Counterterrorism: Conflicting Perspectives on Causes, Contexts, and Responses* 339 (2010)

*War Powers in the Bush Administration*, in *Testing the Limits: George W. Bush and the Imperial*

Presidency 131 (Mark Rozell & Gleaves Whitney eds. 2009)

*Resolved, Fighting the War on Terrorism Requires Relaxing Checks on Presidential Power*, in *Debating the Presidency* 123 (Richard Ellis & Michael Nelson eds. 2009).

*International Law and the War in Iraq*, in *Warfare in the Middle East since 1945* (Ahron Bregman ed., 2008).

*Globalization, Delegation, and the U.S. Constitution*, in *2 The Impact of Globalization on the United States: Law and Governance* 121 (Beverly Crawford ed. 2008) (with Julian Ku).

*FDR, Civil Liberties, and the War on Terrorism*, in *Security v. Liberty: Conflicts Between Civil Liberties and National Security in American History* 42 (Daniel Farber ed. 2008).

*The Supreme Court at War*, in *Terrorism, the Laws of War, and the Constitution* 69 (Peter Berkowitz ed. 2005).

*Lawyers in Congress*, in *Congress and the Constitution* 131 (2005).

*Bush v. Gore: In Defense of the Court's Legitimacy*, in *The Vote* (Richard Epstein & Cass Sunstein eds., 2001)

*Federalism and Judicial Review in The Tenth Amendment and State Sovereignty: Constitutional History and Contemporary Issues* (Mark Killenbeck, ed., 2001).

*The Imperial President Abroad*, in *The Rule of Law in the Wake of Clinton* (Roger Pilon ed., CATO Press 2000)

*Biological and Chemical Weapon Treaties and the Constitution*, in *The New Terror: Facing the Threat of Biological and Chemical Weapons* 269-304 (Sidney Drell et al eds., Hoover Institution Press, 1999).

*McCulloch v. Maryland as Constitutional Tragedy*, in *Constitutional Stupidities, Constitutional Tragedies* 241 (William N. Eskridge, Jr. & Sanford Levinson eds., New York Univ. Press, 1998)

Editor's Notes, *Alberico Gentili's De Legationibus Libri Tres* (1594, republished 1997)

Editor's Notes, *William Whiting's War Powers Under the Constitution of the United States* (1864, republished 1997).

## OTHER PUBLICATIONS

*Scalia's Seat Should Be Kept Open*, Phila. Inquirer, Mar. 21, 2016.  
*Will Feds' Wall of Secrecy in Fannie Mae Case Fall?*, SF Chronicle, Mar. 14, 2016  
*Trump and Sanders: The Founders' Worst Nightmare*, Weekly Standard, Feb. 11, 2016  
*A Call for Action Against Government Overreach*, Phila. Inquirer, Feb. 8, 2016  
*Obama is Upending the Role of the Presidency*, Washington Post, Jan. 15, 2016  
*Why Obama Must Defer to Congress on Gitmo*, National Review, Dec. 21, 2015 (w/Delahunty)  
*Paris Climate Conference: Without Congress' Support, Obama's Dealmaking Powers are Limited*, LA Times, Dec. 1, 2015 (w/John Bolton).  
*The Issue of Birthright Citizenship Has Been Settled*, LA Times, Sept. 6, 2015 (w/David Rivkin)  
*Gay Marriage: Too Soon, or At Last*, Philadelphia Inquirer, June 28, 2015.  
*Advice on Advice and Consent*, National Review, Dec. 29, 2014 (w/John Bolton)  
*Feinstein's Flawed Torture Report*, L.A. Times, Dec. 14, 2014  
*The Feinstein Report Cannot Deny a Clear Record of Success*, Time, Dec. 10, 2014  
*A Torture Report for the Dustbin*, New York Daily News, Dec. 9, 2014  
*It's Time for India and the U.S. to Band Together*, Fortune, Nov. 18, 2014 (w/Riddhi Dasgupta)  
*Fighting Obamapolitik*, National Review, Oct. 20, 2014 (w/Arthur Herman).  
*Seeds of Monarchy?* Claremont Review of Books, Summer 2014.  
*An Obsolete Treaty Even Before Russia Cheated*, Wall St. J., Sept. 9, 2014 (w/John Bolton).  
*A Concert of Democracies*, National Review, June 23, 2014.  
*The Supreme Court Misses its Chance to Limit the Treaty Power*, Forbes, June 12, 2014.  
*A Defense of Bulk Surveillance*, National Review, Apr. 7, 2014 (with Arthur Herman).  
*Russia: A Great Power No More*, National Review, Mar. 8, 2014.  
*Only under Holder*, National Review, Feb. 18, 2014 (with Robert Delahunty).  
*An Arsenal of Democracy for Obama*, National Review, Jan. 29, 2014 (with Arthur Herman).  
*A Rendezvous with Disaster*, Weekly Standard, Jan. 22, 2014 (with Arthur Herman).  
*NSA Spying: Will Obama Lead?*, FoxNews.com, Jan. 7, 2014.  
*The Drone Wars*, National Review, Dec. 12, 2013  
*Obamacare Debacle Much Worse for Constitution*, FoxNews.com, Nov. 21, 2013  
*A Thousand Little Tyrants*, National Review, Sept. 16, 2013.  
*Like it or not, Constitution Allows Obama to Strike*, FoxNews.com, Aug. 30, 2013  
*The Loyalty Test*, Wall St. Journal, Aug. 8, 2013.  
*Treaty by Decree*, National Review, Aug. 5, 2013 (with John Bolton)  
*Eric Holder Must Resign*, FoxNews.com, July 18, 2013  
*Disabling Democracy*, City Journal, Summer 2013 (with Troy Senik)  
*Hiding Behind Judicial Robes*, FoxNews.com, June 19, 2013.  
*NSA Activities Shouldn't Be Aired in Public*, USA Today, June 12, 2013.  
*Gov't Data Collection Doesn't Violate the Constitution*, U.S. News & World Rpt, June 7, 2013.  
*The Supreme Court Unanimously Rejects Universal Jurisdiction*, Forbes, Apr. 21, 2013.  
*Banned by Moscow, and Proud of It*, Wall St. J., Apr. 18, 2013.  
*Obama's United Nations Backdoor to Gun Control*, Wall St. J., Apr. 14, 2013.  
*The Presidency Redefined*, National Review, Mar. 11, 2013.

*Obama's Legal Netherworld*, Foreign Policy, Feb. 8, 2013.  
*The Real Problem with Obama's Drone Memo*, Wall St. J., Feb. 7, 2013  
*Diminishing the Presidency*, Wall St. J., Jan. 30, 2013.  
*Race and the Constitution*, National Review, Jan. 28, 2013  
*The Emancipation Proclamation's Unforgettable Lessons*, FoxNews.com, Jan. 1, 2013  
*The Senate Should Block End Run on Nuclear Arms*, Wall St. J., Dec. 28, 2012  
*Obama's Passive-Aggressive Presidency*, FoxNews.com, Nov. 5, 2012  
*Obama's U.N. Worship Jeopardized National Security*, Wash. Times, Oct. 19, 2012.  
*The Thing Speaks for Itself*, National Review, Oct. 13, 2012  
*Obama Has Pursued a Dangerous Change*, FoxNews.com, Oct. 12, 2012  
*If Barack Obama Had Been President on 9/11*, Wash. Times, Sept. 10, 2012  
*The Court that Couldn't Say "Stop,"* Hoover Digest, Summer 2012  
*No Respect*, Claremont Review of Books, Summer 2012  
*The Immigration Proclamation*, National Review, July 9, 2012  
*Chief Justice Roberts and His Apologists*, Wall St. Journal, June 30, 2012  
*A Loss for Constitutionalists*, Daily Caller, June 29, 2012  
*Obama, Drones, and Thomas Aquinas*, Wall St. Journal, June 7, 2012  
*Litigating for Terrorists*, Wall St. Journal, May 4, 2012.  
*Waiting for the U.N.*, Weekly Standard, Apr. 30, 2012.  
*On Judicial Review*, National Review, Apr. 30, 2012  
*What Conservative Legal Revolution?*, Wall St. Journal, Mar. 29, 2012.  
*The Good and the Bad in Holder's Drone Defense*, Wall St. Journal, Mar. 12, 2012  
*Hands Off the Heavens*, New York Times, Mar. 9, 2012 (with John Bolton)  
*How to End Judicial Supremacy*, National Review, Jan. 9, 2012.  
*Prosecuting the Peace*, Wall St. Journal, Jan. 7, 2012.  
*An Unavoidable Challenge*, National Review, Dec. 31, 2011.  
*Optimistic About America*, Commentary, Nov. 6, 2011.  
*Battleground: War Powers and the Constitution*, Constitutional Spotlight, Oct. 2011.  
*Twenty Years of Justice Thomas*, Wall St. Journal, Oct. 22, 2011.  
*Still Confusing Terror and Crime*, N.Y. Post, Oct. 11, 2011.  
*From Gettysburg to Anwar al-Awlaki*, Wall St. Journal, Oct. 3, 2011.  
*Ten Years Without an Attack*, Wall St. Journal, Sept. 6, 2011.  
*Obama Targets Political Donors*, Philadelphia Inquirer, July 24, 2011.  
*Overruling Citizens United with Chicago-Style Politics*, American Enterprise Institute, Legal Outlook, July 20, 2011  
*The GOP Plays Politics with the War Powers Resolution*, Wall St. Journal, June 17, 2011  
*Libya and the War Powers Abdication*, Wall St. Journal, May 20, 2011.  
*Tough Interrogations Worked*, USA Today, May 10, 2011.  
*From Guantanamo to Abbotabad*, Wall St. Journal, May 4, 2011.  
*Political Privacy Should be a Civil Right*, Wall St. Journal, Apr. 27, 2011.  
*Mission not Accomplished*, Foreign Policy, Mar. 30, 2011.  
*Defending the Status Quo*, The Daily, Mar. 28, 2011.  
*Anti-War Senator, War Powers President*, Wall St. Journal, Mar. 25, 2011

*Say No to Judicial Enforcement of Balanced Budget Amendment*, Nat'l Rev Online, Mar. 9, 2011  
*We Don't Need UN Approval to Save Libyan Lives*, Wall St. Journal, Mar. 5, 2011.  
*War on the War on Terror*, The Daily, Jan. 24, 2011.  
*The Collapse of the Guantanamo Myth*, Wall St. Journal, Dec. 12, 2010.  
*The Ghailani Verdict and the War on Terror*, Wall St. Journal, Nov. 20, 2010.  
*Why Rush to Cut Nukes*, New York Times, Nov. 9, 2010  
*Gay Marriage: Leave it to the Voters*, Wall St. Journal, Aug. 12, 2010  
*Democrats and the McChrystal Fiasco*, Wall St. Journal, June 24, 2010.  
*The Thompkins Decision: A Sensible Bow to Post 9/11 Reality*, Wall St. J., June 8, 2010  
*An Executive Without Much Privilege*, New York Times, May 25, 2010  
*Kagan at Home with Typical Liberal Thinking*, Philadelphia Inquirer, May 16, 2010  
*Supreme Court Sanity Calls for Filibusters*, Philadelphia Inquirer, May 2, 2010.  
*The Supreme Court and National Security: After Justice Stevens*, Wall St. J., Apr. 17, 2010  
*The Individual Mandate an Intrusion on Civil Society*, Philadelphia Inquirer, Mar. 28, 2010  
*Finally an End To Justice Dept. Investigation*, Philadelphia Inquirer, Feb. 28, 2010  
*My Gift to the Obama Presidency*, Wall St. Journal, Feb. 24, 2010  
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*Obama's Defensive Security Won't Work*, Philadelphia Inquirer, Jan. 10, 2010  
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*No Clear Benefit to Holding 9/11 Trial in New York*, Philadelphia Inquirer, Nov. 22, 2009  
*The KSM Trial Will Be an Intelligence Bonanza for al Qaeda*, Wall St. Journal, Nov. 15, 2009  
*History Shows Targeting the CIA is a Perilous Move*, Philadelphia Inquirer, Sept. 13, 2009  
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*Why We Endorsed Warrantless Wiretaps*, Wall St. Journal, July 16, 2009  
*No More Quotas*, Philadelphia Inquirer, July 5, 2009  
*Obama Needs a Neutral Justice*, Philadelphia Inquirer, May 10, 2009  
*Obama White House: Under its Confused Policy, Terrorism (and Piracy) is Really a Crime and Not an Act of War*, Philadelphia Inquirer, Apr. 19, 2009  
*Security v. Freedom: A Balance Kept*, Philadelphia Inquirer, Mar. 15, 2009  
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*War Powers: Where Have All the Liberals Gone?*, Wall St. J., March 15, 1999.  
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*A Privileged Executive?*, Wall St. J., March 2, 1998.  
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## TALKS AND PRESENTATIONS

*The Supreme Court and the 2016 Elections*, Horowitz Freedom Center, Los Angeles, CA (Apr. 9, 2016).

*Presidential Power in the Obama Years*, Kinder Institute, Kansas City, MO (Mar. 17, 2016)

*War Powers and the Constitution*, University of Missouri, Columbia, MO (Mar. 16, 2016)

*Liberty's Nemesis*, Conservative Political Action Convention, Washington, DC (Mar. 3, 2016)

*Federalism and Homeland Security*, Naval Postgraduate Institute, Monterey, CA (Feb. 25, 2016)

*Liberty's Nemesis*, American Enterprise Institute, Washington, DC (Feb. 10, 2016)

*Liberty's Nemesis*, Federalist Society, New York, NY (Feb. 9, 2016)

*Liberty's Nemesis*, National Constitution Center, Phila., PA (Feb. 8, 2016)

*Who's Right on Birthright?*, Federalist Society, New York, NY (Dec. 10, 2015).

*The International Criminal Court and Global Welfare*, Ronald Reagan Presidential Library, Simi Valley, CA (Nov. 15, 2015).

*Rational War and New Weapons Technologies*, National Taiwan University Law School, Taipei, Taiwan (Oct. 14, 2015).

*Supreme Court Preview*, Federalist Society, Berkeley Law School, Berkeley, CA (Sept. 22, 2015).

*Rational War and New Weapons Technologies*, International Symposium on Security and Law, Republic of Korea Army, Seoul, South Korea (Sept. 16, 2015).

*Recent Term of the U.S. Supreme Court*, Am. Poli. Sci. Ass'n, San Francisco, CA (Sept. 4, 2015)

*The United States and the United Nations at 50*, Am. Poli. Sci. Ass'n, San Francisco, CA (Sept. 3, 2015)

*Responses to Obergefell*, Federalist Society, Orange County, CA (Aug. 13, 2015)

*The Upside-Down Presidency*, Republican Club of Rossmoor, Rossmoor, CA (July 21, 2015)

*Rational War and New Weapons Technology*, Legal Scholarship Seminar, University of California at Berkeley Law School, Berkeley, CA (July 14, 2015)

*What is International Law?*, American Enterprise Institute, Washington, D.C. (June 14, 2015).

*Humanitarian Intervention & Jus ad Bellum*, Ministry of Foreign Affairs, Seoul, Korea (May 27, 2015).

*The Making of American Foreign Policy*, Graduate School of Public Policy, Seoul National University, Seoul, Korea (May 26, 2015).

*Settling Remaining Legal Issues from World War II*, Jeju Forum, Jeju, Korea (May 22, 2015).

*CyberWar and How to Fight It*, Federalist Society, Washington, DC (April 29, 2015).

*Rational War and New Weapons Technologies*, International Law Workshop, University of Chicago Law School, Chicago, IL (Apr. 23, 2015).

*Sovereignty and Human Rights Treaties*, Conference on Treaties and National Sovereignty, George Washington University Law School & Federalist Society, Washington, D.C. (Mar. 27, 2015).

*The Upside-Down Presidency*, Federalist Society, Austin, TX (Mar. 27, 2015.)

*A History of Executive Power*, Clements Center, University of Texas at Austin, Austin, TX (Mar. 26, 2015).

*Electronic Surveillance and Presidential Power*, Super Global Program, Department of Law and Political Science, Keio University, Tokyo, Japan (Mar. 24, 2015).

*Immigration and Presidential Power*, Super Global Program, Department of Law and Political Science, Keio University, Tokyo, Japan (Mar. 23, 2015).

*Role of Executive Power and Discretion Under the Rule of Law*, Hoover Institution, Stanford University, Palo Alto, CA (Mar. 6, 2015).

*Point of Attack*, American Enterprise Institute, Los Angeles, CA (Feb. 26, 2015).

*Federalism and Homeland Security*, Center for Homeland Defense and Security, Naval Postgraduate School, Monterey, CA (Feb. 13, 2015).

*Presidential Power in Wartime*, Federalist Society, University of Iowa Law School, Iowa City, IA (Feb. 6, 2015).

*Presidential Power in Wartime*, National War College, Washington, D.C. (Jan. 29, 2014).

*The Sources of International Law*, Federalist Society National Convention, Washington, D.C. (Nov. 14, 2014).

*Justice in the Obama Years*, National Review Cruise, Ft. Lauderdale, FL (Nov. 12, 2014).

*The War on Terror*, National Review Cruise, Ft. Lauderdale, FL (Nov. 11, 2014).

*The War on Terrorism and Homeland Defense*, Homeland Security Program, Naval Postgraduate Institute, Monterey, CA (Nov. 6, 2014).

*Territorial Disputes and International Law in Northeast Asia: Modern Perspective*, Korea Law Center and Robbins Collection, Berkeley Law School, University of California, Florence, Italy (Oct. 17, 2014).

*Mass Collection of U.S. Phone Records Violates the Fourth Amendment*, Intelligence Squared Debates, National Constitution Center, Philadelphia, PA (Oct. 7, 2014).

*The NSA, Snowden, and the Legality of American Surveillance*, San Francisco Bar Ass'n, San Francisco, CA (Oct. 1, 2014).

*Supreme Court Term in Review*, Federalist Society, San Francisco, CA (Sept. 29, 2014).

*A Return to Coercion: International Law and New Weapons Technologies*, International Symposium on Security and Military Law, Ministry of Defense, Republic of Korea, Seoul, Korea (Sept. 25, 2014).

*The Imperial Presidency and the Extent of Executive Power*, Hillsdale College Kirby Center, Washington, D.C. (Sept. 18, 2014).

*War and the Constitution*, Committee for the Republic, Washington, D.C. (Sept. 16, 2014).

*Is Executive Power Constitutional?*, Christopher Newport University, Newport News, VA (Sept. 15, 2014).

*Obama's Upside Down Presidency*, Piedmont Republican Women's Club, Piedmont, CA (Sept. 13, 2014).

*Supreme Court Term in Review*, Federalist Society, Berkeley Law School, University of California, Berkeley, CA (Sept. 9, 2014).

*Territorial Issues and the 1951 San Francisco Peace Treaty*, Ministry of Foreign Affairs, Republic of Korea, Seoul, Korea (July 29, 2014).

*Supreme Court 2014*, Lincoln Club of Northern California, Oakland, CA (July 1, 2014).

*Obama's Inverted Presidency*, Claremont Institute, Los Angeles, CA (June 19, 2014).

*Politics and Policy*, Harvard Class of 1989 25<sup>th</sup> Reunion, Cambridge, MA (May 31, 2014)

*Putting the San Francisco Treaty in Perspective*, Korean Society of International Law, Jeju Island, Korea (May 29, 2014)

*Homeland Security and Federalism*, Homeland Security Program, Naval Postgraduate Institute, Monterey, CA (May 14, 2014).

*Can They Do That?: The NSA and Surveillance*, Judicial Conference, U.S. Court of Appeals for the Seventh Circuit, Chicago, IL (May 12, 2014).

*Escalating Tensions: Is Northeast Asia Headed Toward War on the High Seas?*, American Enterprise Institute, Washington, D.C. (May 1, 2014).

*Point of Attack*, American Enterprise Institute, Washington, D.C. (Apr. 30, 2014).

*Point of Attack*, Federalist Society, New York, NY (Apr. 29, 2014).

*Point of Attack*, Federalist Society, Los Angeles, CA (Apr. 25, 2014).

*Presidential War Powers*, National Security Law Society & Federalist Society, Drexel Law School, Philadelphia, PA (Mar. 27, 2014).

*Presidential Power and the NSA Surveillance Programs*, Bill of Rights Institute, William & Mary Law School, Williamsburg, VA (Mar. 25, 2014).

*Presidential War Powers*, Federalist Society, William & Mary Law School, Williamsburg, VA (Mar. 24, 2014).

*NSA and Privacy*, American Business Trial Lawyers, San Francisco, CA (Mar. 18, 2014).

*President Obama Use of Executive Power and Liberty*, Blackhawk Republican Women's Club, Blackhawk, CA (Mar. 12, 2014).

*Maritime Territorial Disputes Between Korea and Japan*, Robbins Collection, University of California at Berkeley, Berkeley, CA (Feb. 13, 2014).

*Presidential Power and National Security*, National War College, Washington, DC (Jan. 30, 2014).

*Korean Unification and Suggestions from American Federalism*, Korean-American Scholars Conference, Seoul National University Law School, Seoul, Korea (Dec. 12, 2013).

*Korea as a Middle Power*, Korea National Diplomatic Academy, Seoul, Korea (Dec. 4, 2013).

*Yale Law After 20 Years*, Yale Alumni, Federalist Society, Washington, D.C. (Nov. 16, 2013).

*Cyberwarfare*, Federalist Society National Convention, Washington, D.C. (Nov. 15, 2013).

*Teaching Constitutional Law to Future Lawyers*, Philanthropy Roundtable, Los Angeles, CA (Oct. 18, 2013).

*The Recess Appointments Clause*, Heritage Foundation, Washington, D.C. (Oct. 10, 2013).

*Supreme Court Roundup*, Federalist Society, Boalt Hall School of Law, Berkeley, CA (Oct. 7, 2013).

*Supreme Court Roundup*, Villa Taverna, San Francisco, CA (Sept. 12, 2013).

*Supreme Court 2012-2013 Term*, Am. Poli. Sci. Ass'n, Chicago, IL (Aug. 31, 2013).

*Supreme Court Roundup*, Federalist Society, San Francisco, CA (July 15, 2013).

*Supreme Court Roundup*, San Francisco Republican Party, SF, CA (July 10, 2013).

*President Power and the NSA Controversy*, Lincoln Club, Los Angeles, CA (June 7, 2013).

*Drones and Due Process*, Federalist Society, Los Angeles, CA (June 5, 2013).

*Gay Marriage and the Supreme Court*, Sogang University Law School, Seoul, Korea (May 7, 2013).

*Korea and the University of California, Berkeley*, Berkeley Club of Korea, Seoul, Korea (May 3, 2013).

*Gay Marriage and the Supreme Court*, Seoul National University Law School, Seoul, Korea (May 1, 2013)

*Korean Unification and Lessons From American Federalism*, Foreign Authority Workshop,

Seoul National University Law School, Seoul, Korea (May 1, 2013).

*Why Are Asians Liberal?*, Cal. College Republicans Convention, Berkeley, CA (Apr. 20, 2013)

*Drones and the War on Terror*, Judicial Conference, U.S. District Court for the Central District of California, Camp Pendleton, CA (Apr. 12, 2013).

*Reflections on 9/11 and the War on Terror*, Judicial Conference, U.S. District Court for the Central District of California, Camp Pendleton, CA (Apr. 12, 2013).

*Gay Marriage and the States*, Federalist Society, Fordham Law School, New York, NY (Mar. 21, 2013).

*The Presidency Redefined*, Horowitz Freedom Center, Los Angeles, CA (Feb. 23, 2013).

*Presidential Power in Wartime*, National War College, Washington, D.C. (Jan. 15, 2013).

*Obamacare: The Debate Continues*, Federalist Society, Boalt Hall, Berkeley, CA (Jan. 10, 2013)

*The Once and Future Presidency*, Jonathan Club, Los Angeles, CA (Dec. 11, 2012).

*A New Constitutional Agenda*, American Enterprise Institute, Wash., DC (Nov. 30, 2012).

*The Supreme Court 2012*, National Review Cruise, Caribbean (Nov. 13, 2012).

*The Once and Future Presidency*, St. Vincent College, Latrobe, PA (Oct. 10, 2012).

*Fast & Furious and the Administration*, Conservative PAC, Denver, CO (Oct. 4, 2012).

*Obamacare & the Presidency*, Young America Foundation, Santa Barbara, CA (Sept. 21 2012).

*Supreme Court Term*, Federalist Society, Berkeley Law School, Berkeley CA (Sept. 12, 2012).

*Globalization and the Constitution*, Bryant Park Speakers Series, New York, NY (July 25, 2012).

*The Once and Future Presidency*, Rotary Club, Lafayette, CA (July 20, 2012).

*Obamacare and the Constitution*, Federalist Society, San Francisco, CA (July 16, 2012).

*The Once and Future Presidency*, Clearlake Repub. Club, Clear Lake, CA (July 14, 2012).

*The Once and Future Presidency*, Santa Cruz Repub. Club, Santa Cruz CA (June 19, 2012)

*The Once and Future Presidency*, GenNext, Phoenix, AZ (June 13, 2012).

*Globalization and the Constitution*, American Freedom Alliance (June 11, 2012).

*Globalization and the Constitution*, American Enterprise Institute, Wash., DC (June 4, 2012).

*The Once and Future Presidency*, Contra Costa Repub. Club, Lafayette, CA (May 24, 2012).

*The Once and Future Presidency*, Sonoma Women's Repub. Club, Sonoma, CA (May 10, 2012).

*Taming Globalization*, Fund for American Studies, Sonoma, CA (Apr. 21, 2012).

*Taming Globalization*, American Enterprise Institute, Washington, DC (Apr. 19, 2012).

*The Once and Future Presidency*, Pacific Union Club, San Francisco, CA (Apr. 12, 2012).

*Globalization and American Sovereignty*, Federalist Society, Orange County, CA (Apr. 6, 2012).

*Globalization and Sovereignty*, World Affairs Council, Los Angeles, CA (Apr. 5, 2012).

*Globalization and American Sovereignty*, Federalist Society, Los Angeles, CA (Apr. 5, 2012).

*Globalization and American Sovereignty*, Federalist Society, Hofstra Law School, Long Island, NY (Mar. 29, 2012).

*Globalization and American Sovereignty*, Federalist Society, New York, NY (Mar. 28, 2012).

*Globalization and American Sovereignty*, Dole Institute, University of Kansas, Lawrence, KS (Mar. 27, 2012).

*Executive Power under the Obama Administration*, Federalist Society, University of Kansas Law School, Lawrence, KS (Mar. 27, 2012).

*Reconceptualizing U.S. Power and International Law*, The Commonwealth Club, San Francisco, CA (Mar. 15, 2012).

*Health Care and the Supreme Court*, Marin Forum, San Rafael, CA (Mar. 8, 2012).

*Executive Power and the Administrative State*, Federalist Society Student Symposium, Stanford Law School, Palo Alto, CA (Mar. 3, 2012).

*Health Care and the Supreme Court*, San Francisco Young Republican Club, San Francisco, CA (Feb. 21, 2012).

*Presidential Power and Civil Liberties in Wartime*, National War College, Washington, DC (Jan. 12, 2012).

*The Obama Administration and War Powers*, Federalist Society National Convention, Washington, DC (Nov. 10, 2011).

*Presidential Power after 9/11*, Federalist Society, Charleston Law School, Charleston, SC (Nov. 8, 2011).

*Presidential Power after 9/11*, South Carolina Defense Trial Lawyers Association, Amelia Island, FL (Nov. 5, 2011).

*Presidential Power in Wartime*, Tower Center, Southern Methodist University, Dallas, TX (Oct. 22, 2011).

*Just War in the 21<sup>st</sup> Century*, Holy Cross College, Worcester, MA (Oct. 20, 2011).

*Just War in the 21<sup>st</sup> Century*, Assumption College, Worcester, MA (Oct. 19, 2011).

*Confronting Terror*, Federalist Society, San Francisco, CA (Oct. 13, 2011).

*Supreme Court Preview*, Federalist Society & American Constitution Society, Berkeley Law School, Berkeley, CA (Oct. 10, 2011).

*Confronting Terror*, Federalist Society, Chicago, IL (Sept. 15, 2011).

*Confronting Terror*, Lecture Series on the Constitution, Heritage Foundation, Washington, DC (Sept. 12, 2011).

*Targeted Killing or Assassination*, New York Law School Law Review Symposium, New York, NY (Sept. 9, 2011).

*Confronting Terror*, American Enterprise Institute, New York, NY (Sept. 8, 2011).

*Rehabilitating Lincoln*, American Political Science Association, Seattle, WA (Sept. 2, 2011).

*National Security versus Civil Liberties*, Aspen Institute Program on Homeland Security, Aspen, CO (July 30, 2011).

*Federalism and Korean Reunification*, U.S.-Korea Law Foundation, Irvine, CA (July 21, 2011).

*Presidential Power*, Korean-American Spinal Surgeons Annual Meeting, Palos Verdes, CA (July



8, 2011).

*The Framing and the Constitution*, Federalist Society, Berkeley Law School, University of California, Berkeley, CA (May 21 & June 4, 2011).

*Congress, the UN, and the War Power*, Woodrow Wilson International Center for Scholars, Washington, DC (May 16, 2011).

*CIA Interrogations and the bin Laden Operation*, American Enterprise Institute, Washington, DC (May 16, 2011).

*Civil Liberties vs. National Security*, Alaska Bar Association, Fairbanks, AK (May 6, 2011).

*Crisis and Command*, Alaska Bar Association, Fairbank, AK (May 5, 2011).

*Use of Force in Libya*, Constitutional Law Center, Stanford Law School, Palo Alto, CA (Apr. 22, 2011).

*Terrorism and the Obama Administration*, Gen Next, Los Angeles, CA (Apr. 13, 2011).

*Crisis and Command*, The Conservative Forum, Mountain View, CA (Apr. 6, 2011).

*Globalization and American Sovereignty*, William & Mary Law Review Symposium, William & Mary Law School, Williamsburg, VA (Feb. 25, 2011)

*A New Terrorism Agenda for a New Congress*, American Enterprise Institute, Washington, DC (Feb. 23, 2011).

*Winning the War on Terror*, Heritage Foundation, Los Angeles, CA (Jan. 29, 2011).

*National Security Decisionmaking & the Political Process: Presidential Power and Civil Liberties*, National War College, Washington, D.C. (Jan. 11, 2011)

*American Hegemony and International Law*, Federalist Society National Convention, Washington, D.C. (Nov. 19, 2010).

*Executive Power in Wartime*, Appellate Judges Section Conference, American Bar Association, Dallas, TX (Nov. 18, 2010).

*Crisis and Command*, Washington Program, Ohio University, Athens, OH (Oct. 28, 2010).

*Crisis and Command*, Chancery Club, Los Angeles, CA (Oct. 21, 2010).

*Civil Liberties v. National Security in Wartime*, Federalist Society, Los Angeles, CA (Oct. 14, 2010).

*George Washington and Presidential Power*, St. Thomas Law School, Minneapolis, MN (Oct. 7, 2010).

*Rational Treaties and Constitutional Design*, University of Chicago Law School, Chicago, IL (Sept. 25, 2010).

*Civil Liberties vs. National Security*, Constitution Day Colloquium, Hillsdale College, Washington, D.C. (Sept. 17, 2010).

*Supreme Court Roundup – 2010 Term*, Federalist Society, Berkeley Law School, Berkeley, CA (Sept. 9, 2010).

*Crisis and Command*, Fund for American Studies, Washington, D.C. (July 28, 2010).

*Crisis and Command*, Association of Former Intelligence Officers, San Francisco, CA (July 23, 2010).

*Crisis and Command*, Sacramento Press Club, Sacramento, CA (July 22, 2010).

*Supreme Court Round-up*, Federalist Society, San Francisco, CA (July 6, 2010).

*Presidents and Justices*, San Diego Trial Lawyers Assn., San Diego, CA (June 28, 2010).

*Presidential Power During Emergencies*, Conference of the Pennsylvania Appellate Courts, Bedford, PA (June 17, 2010).

*Henry V and the Laws of War*, Federalist Society, Boston, MA (June 15, 2010).

*Crisis and Command*, Assoc'n Bay Area General Counsels, San Francisco, CA (June 1, 2010).

*Crisis and Command*, Rotary Club, San Francisco, CA (May 4, 2010).

*Crisis and Command*, Union League, Philadelphia, PA (May 3, 2010).

*Crisis and Command*, Episcopal Academy, Newtown Square, PA (May 3, 2010).

*Terrorism and the Courts*, Freedom Center, Santa Barbara, CA (April 24, 2010).

*Presidential Power*, Public Law Seminar, Political Science Department, University of California Berkeley, Berkeley, CA (Apr. 1, 2010).

*Crisis and Command*, Lincoln Club of Northern California, Pebble Beach, CA (Mar. 27, 2010).

*Crisis and Command*, Orange County Federalist Society, Irvine, CA (Mar. 24, 2010).

*Crisis and Command*, Federalist Society, Chapman Law School, Orange, CA (Mar. 23, 2010).

*Crisis and Command*, Federalist and Thomas Jefferson Society, University of Virginia, Charlottesville, VA (Mar. 19, 2010).

*Crisis and Command*, Miller Center Forum for Public Affairs, University of Virginia, Charlottesville, VA (Mar. 19, 2010).

*Crisis and Command*, Federalist and American Constitution Society, William & Mary Law School, Williamsburg, VA (Mar. 18, 2010).

*Crisis and Command*, Federalist Society, Dallas, TX (Feb. 26, 2010).

*Crisis and Command*, University of Texas Federalist Society, Austin, TX (Feb. 25, 2010).

*Crisis and Command*, Federalist Society, Houston, TX (Feb. 25, 2010).

*Crisis and Command*, Federalist Society, Philadelphia, PA (Feb. 18, 2010).

*Crisis and Command*, Federalist Society, Baltimore, MD (Feb. 18, 2010).

*Crisis and Command*, Foreign Affairs Symposium, Johns Hopkins Univ., Baltimore, MD (Feb. 17, 2010).

*Crisis and Command*, Orange County Jurisprudence Cafe, Irvine, CA (Feb. 11, 2010).

*Crisis and Command*, Rossmoor Republican Club, Rossmoor, CA (Feb. 10, 2010).

*Crisis and Command*, University of Chicago Federalist Society, Chicago, IL (Feb. 9, 2010).

*Crisis and Command*, Northwestern Univ. Federalist Society, Chicago, IL (Feb. 8, 2010).

*Crisis and Command*, Federalist Society, Chicago, IL (Feb. 8, 2010).

*Crisis and Command*, Los Angeles Foreign Affairs Council, Los Angeles, CA (Feb. 4, 2010).

*Crisis and Command*, Federalist Society, Los Angeles, CA (Feb. 4, 2010).

*Crisis and Command*, Federalist Society, San Francisco, CA (Jan. 28, 2010).

*Crisis and Command*, Commonwealth Club, San Francisco, CA (Jan. 27, 2010).

*Crisis and Command*, Federalist Society, Washington, DC (Jan. 15, 2010).

*The Federalist Papers*, Capitol Hill Federalist Society, Washington, DC (Jan. 15, 2010).

*Crisis and Command*, National War College, Washington, DC (Jan. 14, 2010).

*Crisis and Command*, American Enterprise Institute, Washington, DC (Jan. 13, 2010).

*Crisis and Command*, Federalist Society, New York, NY (Jan. 12, 2010).

*Prosecuting the CIA*, Pumpkin Papers Irregulars, Washington, DC (Oct. 30, 2009).

*Should Israel Attack Iran?*, American Enterprise Institute, Washington, DC (Oct. 23, 2009)

*Taming the Prince in War*, Jeppson School of Leadership, University of Richmond, Richmond, VA (Oct. 17, 2009)

*Foreign Affairs and the Constitution*, Lincoln Seminar, Claremont Institute, Newport Beach, CA (Aug. 14, 2009)

*War v. Crime*, Gen Next, Orange County & San Diego, CA (July 23, 2009).

*Great and Poor Presidents*, Lincoln Club, Orange County, CA (June 12, 2009).

*Free Markets, Free Minds, Free People*, California College Republican Convention, San Francisco (Apr. 25, 2009).

*Legal Liability of Government Officers*, Legal Policy Conference, Heritage Foundation, Los Angeles, CA (Apr. 22, 2009).

*Presidential Success in Time of Crisis*, Chapman Dialogue, Chapman University, Orange, CA (Apr. 21, 2009).

*Administering War*, Constitutional Law Workshop, Georgetown Univ. Law Center, Washington, D.C. (Apr. 17, 2009).

*Presidential Greatness*, Orange County Federalist Society, Irvine, CA (Mar. 10, 2009).

*Globalization and the Constitution*, Faculty Workshop, Pepperdine Law School, Malibu, CA

(Mar. 6, 2009).

*The Proliferation Security Initiative and International Law*, U.S. Coast Guard Academy, New London, CT (Feb. 20, 2009).

*Are Human Rights Universal?*, Janus Forum, Brown University, Providence, RI (Feb. 19, 2009).

*Presidential Power in Historical Perspective*, Federalist Society, Providence, RI (Feb. 19, 2009).

*Globalization and Constitutional Law*, Faculty Workshop, University of Iowa Law School, Iowa City, IA (Feb. 12, 2009).

*Lincoln, Habeas, and the War on Terrorism*, Chapman Law Review Symposium, Chapman University Law School, Orange, CA (Jan. 30, 2009).

*International Law and Sovereignty*, Federalist Society National Symposium, Washington, DC (Nov. 20, 2008).

*The Imperial Presidency and the Founding*, Institute for Governmental Studies and Boalt Hall School of Law, Berkeley, CA (Sept. 19, 2008).

*Threats to the Separation of Powers*, Hillsdale College National Symposium, Colorado Springs, CO (Sept. 16, 2008).

*Presidential Greatness*, Aspen Institute, Aspen, CO (July 3, 2008).

*Presidential Power and the War on Terrorism*, Society for Historians of American Foreign Relations, Annual Meeting, Columbus, OH (June 27, 2008).

*From the Justice Department to Guantanamo Bay*, U.S. House Committee on the Judiciary, Subcommittee on the Constitution, Washington, D.C. (June 26, 2008).

*Of Merryman and Milligan*, Supreme Court Historical Society, Washington, D.C. (Mar. 26, 2008).

*Bush and the Courts*, Department of History Colloquium, UCLA, Los Angeles, CA (Mar. 10, 2008).

*Detention, Interrogation, and the Constitution*, National Constitution Center, Philadelphia, PA (Mar. 7, 2008).

*The NSA's Terrorist Surveillance Program*, Federal Society, Los Angeles, CA (Feb. 15, 2008).

*Should U.S. Attorneys be Independent?*, National Symposium, Federalist Society, Washington, DC (Nov. 16, 2007).

*International Law and the War on Terrorism*, National War College, Washington, D.C. (Nov. 15, 2007).

*Presidential Power in Time of Emergency*, Canisius College, Buffalo, NY (Oct. 25, 2007).

*The Sources of Presidential Power*, Boston University Law Review Symposium, Boston University, Boston, MA (Oct. 11, 2007).

*National Security and Civil Liberties*, Federalist Society, Boston, MA (Oct. 9, 2007).

*FISA and Intelligence Surveillance*, McGeorge School of Law and Sacramento Federalist Society, Sacramento, CA (Oct. 1, 2007).

*Medellin v. Texas: International Tribunals and the Constitution*, American Enterprise Institute, Washington, D.C. (Sept. 27, 2007).

*Presidential Power in Time of Emergency*, Federalist Society, Charleston, SC (Sept. 24, 2007).

*Warrantless Surveillance under the Constitution*, Federalist Society, Charlotte, NC (Sept. 21, 2007).

*Presidential Power in Time of Emergency*, Federalist Society, Nashville, TN (Sept. 20, 2007).

*Presidential Power in Time of Emergency*, Federalist Society, University of Memphis Law School, Memphis, TN (Sept. 19, 2007).

*Presidential Power in Time of Emergency*, Distinguished Speaker Series, Clinton School of Public Service, Little Rock, AR (Sept. 18, 2007).

*Presidential Power in Time of Emergency*, Federalist Society, Atlanta, GA (Sept. 17, 2004).

*The Roberts Court's First Two Years*, Supreme Court Preview, William & Mary College, Williamsburg, VA (Sept. 13, 2007).

*Warrantless Surveillance under the Constitution*, Federalist Society, William & Mary College, Williamsburg, VA (Sept. 13, 2007).

*Jefferson and Presidential Power*, Law and Politics Workshop, William & Mary College, Williamsburg, VA (Sept. 13, 2007).

*Executive Power and the Constitution*, Am. Political Sci. Assn. Annual Meeting, Chicago, IL (Sept. 1, 2007).

*Broken Branches? The Balance of Power in the 21<sup>st</sup> Century*, Am. Political Sci. Assn. Annual Meeting, Chicago, IL (Aug. 31, 2007).

*National Security and Civil Liberties*, Federalist Society, San Francisco, CA (Aug. 1, 2007).

*Coercing Virtue*, Conference in Honor of Judge Robert Bork, Federalist Society, Washington, D.C. (June 26, 2007).

*Multilateralism and Europe's Future*, The Transatlantic Alliance, American Enterprise Institute & Magna Carta Foundation, Rome, Italy (June 8, 2007).

*New Warfare*, Conference on the Changing Security Environment, NATO Defense College, Rome, Italy (May 14, 2007).

*War by Other Means*, Program in Law and Journalism, New York Law School, New York, NY (Apr. 20, 2007).

*The Military Commission Act*, Federalist Society, Cardozo Law School, New York, NY (Apr. 19, 2007)

*Better More Domestic Security than Another 9/11*, Intelligence Squared Debate, New York, NY (Apr. 18, 2007)

*The Constitutionality of the Military Commission Act*, Federalist Society, San Francisco, CA (Apr. 5, 2007).

*Security v. Civil Liberties*, Conservative PAC Conference, Washington, DC (Mar. 3, 2007).

*The Struggle between the President and Congress in Foreign Affairs*, Economic Club of Indiana, Indianapolis, IN (Mar. 2, 2007).

*War by Other Means*, Federalist Society, University of Toledo Law School, Toledo, OH (Mar. 1, 2007).

*War by Other Means*, Claremont McKenna College, Claremont CA (Feb. 26, 2007)

*Terrorist Surveillance Program*, Chapman Law School, Los Angeles, CA (Feb. 26, 2007).

*War by Other Means*, Federalist Society, Orange County, CA (Feb. 26, 2007).

*Listening for Terrorists*, The Heritage Foundation and the Center for Strategic and International Studies, Washington, DC (Feb. 23, 2007).

*The Original Understanding of War Powers*, Center on Originalism, University of San Diego Law School, San Diego, CA (Feb. 12, 2007).

*Civilian Control of the Military: Controlling the Crisis*, UCLA Law Review Symposium, Los Angeles, CA (Feb. 2, 2007).

*Globalization and the Constitution*, Globalization Comes Home Conference, University of California at Berkeley, Berkeley, CA (Feb. 1, 2007).

*Presidential Power and the War on Terrorism*, Symposium on the War on Terrorism, Pepperdine Law School, Malibu, CA (Jan. 19, 2007).

*Can the President Violate National Security Laws*, Federalist Society Panel, Association of American Law Schools, Washington, D.C. (Jan. 4, 2007).

*The Role of the Courts in Wartime*, National War College, Washington, D.C. (Jan. 4, 2007).

*The Military Commission Act and the New Congress*, Standing Committee on National Security Law, American Bar Association, Washington, D.C. (Jan. 3, 2007).

*Are We Over-Lawyer International Affairs*, National Symposium, Federalist Society, Washington, DC (Nov. 18, 2006).

*Executive Power in Wartime*, National Symposium, Federalist Society, Washington, DC (Nov. 17, 2006).

*War by Other Means*, University of California Center, Washington, DC (Nov. 16, 2006)

*The Powers of War and Peace*, Constitutional Books Seminar, Georgetown Univ. Law School, Washington, DC (Nov. 15, 2006).

*War by Other Means*, Book Forum, National Constitution Center, Philadelphia, PA (Nov. 14, 2006).

*Interrogation and Detention in Wartime*, Baker Institute for Public Policy, Rice University, Houston, TX (Nov. 3, 2006).

*Presidential Power in Emergencies*, Hoover Institution, Stanford University, Stanford, CA (Oct. 31, 2006).



*Congressional Control over the Jurisdiction of the Federal Courts in Wartime*, Conference in Honor of Paul Mishkin, Boalt Hall School of Law, Berkeley, CA (Oct. 27, 2006).

*War by Other Means*, Federalist Society, Los Angeles, CA (Oct. 19, 2006)

*Presidential Power in War*, Colloquium on the American Founding, Political Science Department, Amherst College, MA (Oct. 14, 2006)

*War by Other Means*, New York City Federalist Society, New York, NY (Oct. 5, 2006)

*War by Other Means*, New York University Law School, Federalist Society, New York, NY (Oct. 5, 2006)

*War by Other Means*, Columbia Law School, Federalist Society, New York, NY (Oct. 5, 2006)

*War by Other Means*, American Enterprise Institute, Washington, D.C. (Oct. 4, 2006)

*National Security and the Supreme Court*, Supreme Court Term in Review, William and Mary Law School, Williamsburg, VA (Sept. 15, 2006).

*The Roberts Court First Year*, Federalist Society and American Constitution Society, William and Mary Law School, Williamsburg, VA (Sept. 15, 2006).

*The Imperial Judiciary at War*, Federalist Society, George Mason Univ. Law School, Arlington, VA (Sept. 14, 2006)

*The Imperial Judiciary at War*, CATO Institute, Washington, DC (Sept. 14, 2006)

*Catching Terrorists: the British System versus the U.S. System*, Homeland Security Subcommittee, U.S. Senate Appropriations Committee, Washington, D.C. (Sept. 14, 2006).

*Law and Order Five Years After 9/11*, American Enterprise Institute, Washington, DC (Sept. 8, 2006).

*Presidential Powers in Wartime*, Panel on Issues of Concern to the Legal Profession, House of Delegates, American Bar Association Annual Meeting, Honolulu, HI (Aug. 7, 2006).

*A New Legal Regime: The Bush Administration and the War on Terrorism*, European Law Students Association, University of Trento, Trento (May 23, 2006).

*International Law and the War on Terrorism*, Federalist Society Student Symposium, Columbia Law School, New York, NY (Feb. 25, 2006).

*War Powers*, Federal Society, University of Pennsylvania Law School, Philadelphia, PA (Feb. 23, 2006).

*Presidential Power and Bush's War on Terrorism*, Russell Kirk Lecture, Heritage Foundation, Washington, D.C. (Feb. 22, 2006)

*Use of Foreign Law*, Conference on Outsourcing American Law, American Enterprise Institute, Washington, DC (Feb. 21, 2006).

*Guantanamo Bay*, Pomona Speakers Union, Pomona College, Claremont, CA (Feb. 9, 2006).

*War Powers*, Federalist Society, Loyola University Los Angeles Law School, Los Angeles, CA (Jan. 24, 2006).

*War Powers*, Federalist Society, Brigham Young University Law School, Provo, UT (Jan. 20, 2006).

*War Powers*, Federalist Society, Phoenix, AZ (Jan. 12, 2006).

*The Legacy of the Rehnquist Court*, Federalist Society, Sacramento, CA (Dec. 9, 2005)

*War Powers*, Federalist Society, Chicago, IL (Dec. 1, 2005)

*Rational War and Constitutional Design*, Faculty Workshop, University of Minnesota Law School, Minneapolis, MN (Nov. 17, 2005)

*Law and the War on Terrorism*, Federalist Society, University of Minnesota Law School, Minneapolis, MN (Nov. 16, 2005)

*Law and the War on Terrorism*, Federalist Society, William Mitchell Law School, Minneapolis, MN (Nov. 16, 2005)

*War Powers*, Federalist Society, St. Thomas University Law School, Minneapolis, MN (Nov. 16, 2005)

*The Framers and International Law*, Federalist Society National Symposium, Washington, D.C. (Nov. 11, 2005).

*The Powers of War and Peace*, Federalist Society, Georgetown University Law School, Washington, D.C. (Nov. 10, 2005)

*The Powers of War and Peace*, Federalist Society, University of the District of Columbia Law School, Washington, D.C. (Nov. 10, 2005)

*The Powers of War and Peace*, Federalist Society, American University Law School, Washington, D.C. (Nov. 10, 2005)

*War Powers and the War on Terrorism*, Federalist Society, Northwestern Law School, Chicago, IL (Nov. 4, 2005).

*War and Civil Liberties*, Dickinson College & Penn State/Dickinson Law School & U.S. Army War College, Carlisle, PA (Nov. 3, 2005).

*War Powers and the War on Terrorism*, Penn State/Dickinson Law School, Carlisle, PA (Nov. 3, 2005).

*International Law and U.S. Foreign Policy*, Book Forum, World Affairs Council, San Francisco, CA (Oct. 31, 2005).

*National Security and the Rehnquist Court*, Law Review Symposium, George Washington University Law School, Washington, D.C. (Oct. 28, 2005).

*The Powers of War and Peace*, Book Forum, American Enterprise Institute, Washington, D.C. (Oct. 28, 2005).

*Terrorism and War Powers*, Federalist Society, Vanderbilt Law School, Nashville, TN (Oct. 27, 2005).

*Rational War and Constitutional Design*, Faculty Workshop, Vanderbilt Law School, Nashville, TN (Oct. 27, 2005).

*Supreme Court Roundup, October Term 2004*, Eighth Circuit Court of Appeals Judicial Conference, Colorado Spring, CO (Oct. 21, 2005).

*Civil Liberties and the War on Terrorism*, Andrews & Kurth Debate, University of Houston Law School, Houston, TX (Oct. 19, 2005).

*Are Declarations of War Obsolete*, Federalist Society, Houston, TX (Oct. 18, 2005).

*Law and the War on Terrorism*, Dickey Center, Dartmouth College, Hanover, NH (Oct. 17, 2005).

*War Powers and the War on Terrorism*, Federalist Society, Stanford Law School, Palo Alto, CA (Oct. 12, 2005).

*Law and the War on Terrorism*, University of New Mexico Law School, Albuquerque, NM (Oct.

7, 2005).

*Use of Foreign Law*, American Bar Association Appellate Judges Institute, San Francisco, CA (Oct. 1, 2005).

*Supreme Court Roundup, October Term 2004*, American Bar Association Appellate Judges Institute, San Francisco, CA (Sept. 30, 2005).

*Law and the War on Terrorism*, Federalist Society, University of San Francisco Law School, San Francisco, CA (Sept. 29, 2005).

*The Solomon Amendment*, Federalist Society, Golden Gate Law School, San Francisco, CA (Sept. 22, 2005).

*Rational War and Constitutional Design*, Boalt Hall School of Law, Berkeley, CA (Aug. 12, 2005).

*Supreme Court Wrap-up 2004 Term*, National Constitution Center, Philadelphia, PA (July 12, 2005).

*From Guantanamo to California: An Insider's Look at Civil Liberties and the War on Terrorism*, World Affairs Council, San Francisco, CA (June 23, 2005).

*Lincoln and the Constitution*, National Constitution Center, Philadelphia, PA (June 10, 2005).

*Fighting the New Terrorism*, Bradley Lecture, American Enterprise Institute, Washington, DC (June 6, 2005).

*Korematsu to Padilla: Federal Courts in Wartime*, Historical Society of the Northern District of California, San Francisco, CA (June 1, 2005).

*Federalism: What is it Good For?*, American Constitution Society, University of Chicago Law School, Chicago, IL (May 9, 2005)

*Failed States*, International Law Workshop, University of Chicago Law School, Chicago, IL (May 9, 2005)

*Changing Laws and Practices in the War on Terrorism*, Travers Ethics Conference, Department of Political Science, University of California at Berkeley, Berkeley, CA (May 6, 2005).

*Human Rights, International Law, and the War on Terrorism*, Political Science Department, University of California at Berkeley, Berkeley, CA (May 2, 2005).

*Judging the Court: Looking Back at the Rehnquist Court*, National Constitution Center, Washington, DC (Apr 27, 2005).

*In Defense of an Independent Judiciary*, CATO Institute, Washington, DC (Apr 25, 2005)

*American Foreign Policy in the War on Terror: Is Torture Ever Acceptable?*, American Constitution Society & The Federalist Society, Columbia Law School, New York, NY (April 21, 2005)

*The Law of War & the War on Terrorism*, Fordham Law School, New York, NY (April 19, 2005)

*The Law of War in the War on Terrorism*, Law & Terrorism Conference, United States Military Academy, West Point, NY (April 15, 2005)

*The Law of War in the War on Terrorism*, Council on Foreign Relations, New York, NY (Apr. 14, 2005)

*Re-Securing the Homeland: Is the Patriot Act the Right Solution for Homeland Security?*, Colloquium on Public and Int'l Affairs, Woodrow Wilson School, Princeton University, Princeton, NJ (April 8, 2005)

*The Supreme Court's Use of Foreign Precedents*, Faculty Workshop, William & Mary Law School, Williamsburg, VA (Apr. 6, 2005)

*The Rehnquist Court: Assessment and Prediction*, Federalist Society, William & Mary Law School (Apr. 5, 2005)

*Reflections on the War on Terror*, Institute for Bill of Rights Law, William & Mary Law School, Williamsburg, VA (Apr. 4, 2005)

*Law and the War on Terrorism*, Federalist Society, George Washington Univ Law School, Washington, D.C. (Mar. 31, 2005)

*Nation-states and the Geneva Conventions*, Conference on Politics and the Geneva Conventions, University of Virginia Law School, Charlottesville, VA (Mar. 19, 2005).

*The Patriot Act and Civil Liberties*, Center for Free Inquiry, Hanover College, Hanover, IN (Mar. 13, 2005)

*Renewing the Patriot Act*, Pacific Research Institute, San Francisco, CA (Feb. 18, 2005).

*Fighting the New Terrorism: The Role of Law*, Chancellor's Distinguished Lecture, University of

California at Irvine, Irvine, CA (Feb. 7, 2005).

*Reconceptualizing the Use of Force*, Federalist Society Faculty Conference, San Francisco, CA (Jan. 7, 2005).

*Foreign Competence: Formalism, Functionalism, and the Alien Tort Statute*, International Legal Scholarship Conference, Boalt Hall School of Law, University of California at Berkeley, Berkeley, CA (Jan. 4, 2004)

*Security and Civil Liberties in the Post-9/11 Era*, Centre Francais sur les Etats-Unis, Paris, France (Dec. 9, 2004).

*U.S. Supreme Court's Use of Foreign Law*, Federalist Society Annual Convention, Washington, D.C. (Nov. 11, 2004).

*Torture as an Intelligence Tool after 9/11*, American Enterprise Institute, Washington, D.C. (Nov. 10, 2004).

*Who is so Afraid of the Eleventh Amendment*, Faculty Workshop, Boalt Hall School of Law, University of California, Berkeley, CA (Nov. 2, 2004)

*Using Force*, LBJ School of Public Affairs, University of Texas, Austin, TX (Oct. 26, 2004).

*Terrorism and the Courts*, Federalist Society and American Constitution Society, Stanford Law School, Stanford, CA (Oct. 12, 2004).

*National Security, the Patriot Act, and the Constitution*, Peace and Justice Lecture Series, St. Scholastica College, Duluth, MN (Oct. 5, 2004).

*Fighting the New Terrorism*, Robert Miller Lecture Series, Baylor University, Waco, TX (Oct. 3, 2004).

*Supreme Court Term 2005*, National Constitution Center, Philadelphia, PA (Sept. 30, 2004).

*The Terrorism Cases and the Supreme Court*, Federalist Society Lawyers' Chapter, Philadelphia, PA (Sept. 28, 2004).

*Federal Courts for Terrorists?*, Federalist Society Lawyers' Chapter, New York, NY (Sept. 27, 2004).

*The September 11 Attacks and Anti-Terrorism Legislation*, Keio University Law School & Japanese National Police Agency, Tokyo, Japan (Sept. 11, 2004)

*Review of the Supreme Court 2003-04 Term*, Judicial Conference, U.S. Court of Appeals for the Eighth Circuit, Rapid City, SD (July 16, 2004)

*Using Force*, Conference on War, International Law, and Sovereignty, Washington, D.C. (June 24, 2004).

*Terrorists and the Geneva Conventions*, Conference on Homeland Security & Civil Liberties, University of Pennsylvania Law School & U.S. Army War College, Philadelphia, PA (June 18, 2004)

*Terrorism and the Supreme Court*, Conference on the Supreme Court and American Politics, Public Law and Affairs Program, Princeton University, Princeton, NH (May 27, 2004).

*War and Democracy*, Stanford Law Review Conference, Stanford Law School, Stanford, CA (Apr. 17, 2004).

*War on Terrorism and Civil Liberties*, International Academy of Trial Lawyers, San Francisco, CA (April 15, 2004).

*Beyond the Patriot Act*, Center for Law and Justice, University of Cincinnati Law School, Cincinnati, OH (Mar. 18, 2004).

*The New Occupation Law*, Law Journal Symposium, University of California at Davis, Davis, CA (Mar. 12, 2004).

*Supreme Court Use of Foreign Decisions*, Federalist Society Lawyer's Chapter, Sacramento, CA (Mar. 11, 2004).

*Using Force*, Faculty Workshop, Stanford Law School, Stanford, CA (Feb. 24, 2004).

*Peeking Abroad?: Federal Courts' Citation of Foreign Decisions and the Separation of Powers*, University of Hawaii Law Review Symposium, Honolulu, HI (Feb. 12, 2004).

*Judicial Review and Environmental Externalities: The Case of Yucca Mountain*, Rothberger Conference on Constitutional Law, University of Colorado at Boulder School of Law, Boulder, CA (Jan. 31, 2004)

*Civil Liberties and the War on Terrorism*, Federalist Society, University of Colorado at Boulder School of Law, Boulder, CA (Jan. 29, 2004)

*Civil Liberties and the War on Terror*, American Enterprise Institute, Washington, D.C. (Dec. 17, 2003) (panel member)

*Civil Liberties in Time of Stress*, Miller Center, University of Virginia, Charlottesville, VA (Dec. 6, 2003)

*Transferring Terrorists*, Notre Dame Law Review Symposium, South Bend, IN (Dec. 4, 2003).

*Using Force*, Faculty Workshop, University of Chicago Law School, Chicago, IL (Nov. 20, 2003)

*Globalization and the Foreign Affairs Constitution*, Government Department, Harvard University, Cambridge, MA (Oct. 31, 2003).

*The Patriot Act and Civil Liberties*, American Enterprise Institute, Washington, D.C. (Oct. 30, 2003).

*Securing Freedom and the Nation: Collecting Intelligence under the Law*, House Permanent Select Committee on Intelligence, Washington, D.C. (Oct. 30, 2003) (testimony)

*Disunited United Nations*, The Economist, Paris, France (Oct. 16, 2003).

*Supreme Court Term 2003*, National Constitution Center, Philadelphia, PA (Sept. 16, 2003) (panel member)

*Trying Terrorists, Civilian or Military Courts?*, American Enterprise Institute, Washington, D.C. (August 8, 2003) (panel member).

*States, Corporations, Citizens: Do the Justices Care?*, American Enterprise Institute, Washington, D.C. (June 27, 2003) (panel member).

*Constitutionalism, Human Rights, and the Rule of Law in Iraq*, Subcommittee on the Constitution, United States Senate, Washington, D.C. (June 25, 2003) (testimony).

*The War on Terrorism and the Public's Right to Know*, Bar of the District of Columbia, Washington, D.C. (June 18, 2003) (panel member).

*Legislative and Regulatory Responses to the FTC Study on Barriers to Entry in the Pharmaceutical Marketplace*, Testimony Before the Committee on the Judiciary, United States Senate, Washington, DC (June 17, 2003) (testimony).

*The War on Terrorism and International Law*, Judicial Conference of the U.S. Court of Appeals for the Eleventh Circuit, Point Clear, AL (May 16, 2003).

*Immigration, Detention, and the War on Terrorism*, Yale Law School, New Haven, CT (Apr. 29, 2003).



*The War on Terror – Setting the Legal Agenda*, American Bar Association, Standing Committee on Law and National Security, Washington, D.C. (Apr. 22, 2003) (panel member).

*Judicial Review and War Power*, Symposium on Marbury v. Madison, George Washington University Law School, Washington, DC (April 10, 2003).

*The State of the American Society of International Law*, American Society of International Law Annual Meeting, Washington, DC (April 3, 2003).

*Law and the War on Terrorism*, Federalist Society, University of Washington Law School, Seattle, WA (Jan. 21, 2003).

*How Big is Constitutional Law?: Discreet National or Global Order*, Association of American Law Schools Annual Meeting, Section on International Law, Washington, D.C. (Jan. 5, 2003) (panel member).

*Judicial Philosophy: Should it Be Relevant for Confirmation?*, Federal Society Annual Faculty Conference, Washington, D.C. (Jan. 2, 2003) (panel member).

*The War on Terrorism and International Law*, Conference on the Limits of International Law Workshop, New York University Law School, New York, NY (Nov. 16, 2002).

*Congress vs. President: Who has the Upper Hand in Foreign Affairs*, Federalist Society National Symposium, Washington, D.C. (Nov. 14, 2002) (panel member).

*The War on Terrorism and International Law*, International Law Workshop, University of Michigan Law School, Ann Arbor, MI (Nov. 11, 2002).

*The War on Terrorism and Civil Liberties*, Federalist Society, University of Michigan Law School, Ann Arbor, MI (Nov. 11, 2002).

*Law and the War on Terrorism*, Annual Board Meeting, American Society of International Law, Washington, D.C. (Nov. 1, 2002).

*Law and the War on Terrorism*, Boalt Hall Alumni Reunion, Berkeley, CA (Oct. 26, 2002) (panel moderator).

*The Rule of Law and the War on Terrorism*, University of Florence Law School, Florence, Italy (Oct. 15, 2002).

*Law and the War on Terrorism*, Robbins Collection Conference on Judicial Power, Boalt Hall School of Law, University of California, Berkeley, CA (Sept. 13, 2002).

*The War on Terrorism, International Law, and the Treatment of Detainees*, American Society of International Law, Washington, D.C. (July 18, 2002).

*The War on Terrorism and Civil Liberties*, Federal Judicial Center Lecture Series, Washington, D.C. (May 8, 2002).

*Supreme Court Term, 2001*, Judicial Conference of the U.S. Court of Appeals for the Fifth Circuit, Dallas, CA (May 2, 2002).

*Political Cases*, California Appellate Judges Institute, California Judicial Council, Palm Springs, CA (April 26, 2002).

*Law and the War on Terrorism*, Federalist Society, Boalt Hall School of Law, University of California at Berkeley, Berkeley, CA (April 24, 2002).

*Law and the War on Terrorism*, Federalist Society, University of Chicago Law School, Chicago, IL (April 18, 2002).

*The War on Terrorism and the War Powers Resolution*, Testimony Before the Subcommittee on the Constitution, Committee on the Judiciary, United States Senate, Washington, DC (April 17, 2002)

*Law and the War on Terrorism*, Institute of Bill of Rights Law, William and Mary Marshall-Wyeth School of Law, Williamsburg, VA (Apr. 1, 2002).

*The Legal Status of Detainees in the War on Terrorism*, Federalist Society, Harvard Law School, Cambridge, MA (Mar. 18, 2002).

*Legal Responses to Terrorism*, National Workshop for District Judges, Federal Judicial Center, New Orleans, LA (Feb. 27-28, 2002) (panel member).

*Do the Laws of War Apply to the War on Terrorism?*, American Society of International Law & Johns Hopkins University School of Advanced International Studies, Washington, D.C. (Feb. 13, 2002) (panel member)

*Supreme Court, October Term 2000*, National Association of Attorneys General, Baton Rouge, LA (Feb. 4, 2002).

*Terrorism and the Law: Military Commissions*, Federal Judicial Center, Washington, D.C. (Jan. 17, 2002).

*Examining International Legal Tools in the War Against Terrorism*, United States Institute for

Peace, Washington, DC [Dec. 18, 2001) (panel member).

*Legal Responses to Terrorism*, National Workshop for District Judges, Federal Judicial Center, San Diego, CA (Dec. 3-4, 2001) (panel member).

*Legal Responses to Terrorism*, District of Columbia Bar Association, Washington, D.C. (Nov. 19, 2001) (panel member).

*Alien Tort Claims Act: Are American Courts the World's Policemen?*, Federalist Society Annual Lawyers Convention, Washington, D.C. (Nov. 16, 2001) (panel member).

*The Prosecution of Terrorists*, Conference on War, Court, or Both, American Society of International Law, Washington, D.C. (Oct. 12, 2001) (panel member).

*U.S. Approaches to Multilateral Treaties*, Roundtable, New York University Law School, New York, NY (Sept. 29, 2001).

*Bush v. Gore and the Court's Legitimacy*, Conference on Judicial Power, Autonomia University of Barcelona, Barcelona, Spain (June 9, 2001).

*International Law and American Federalism*, American Enterprise Institute, Washington, D.C. (Apr. 4, 2001).

*The Puzzling Persistence of Process-Based Federalism Theories*, Cardozo School of Law, New York, NY (Apr. 2, 2001)

*Bush v. Gore and the Legitimacy of the Supreme Court*, Ecole Des Hautes Etudes en Sciences Sociales, Paris, France (Mar. 30, 2001)

*Foreign Affairs Federalism and the Separation of Powers*, Federalism Symposium, Villanova Law School, Villanova, PA (Oct. 28, 2000)

*The Commerce Clause after Lopez and Morrison*, Oklahoma City University Law School, Symposium on Federalism, Oklahoma City, OK (Sept. 27, 2000)

*The Imperial Presidency Abroad*, Symposium on The Rule of Law in the Wake of Clinton, Cato Institute, Washington, D.C. (July 12, 2000)

*Federalism and Judicial Review*, University of Montpellier Law School, Montpellier, France (June 10, 2000)

*The Constitutionality of Congressional-Executive Agreements*, Public Law Workshop, University of Chicago Law School, Chicago, IL (May 18, 2000)

*International Law, the Treaty Power, and Domestic Litigation*, American Society of International Law, Annual Meeting, Washington, D.C. (April 6, 2000)

*U.N. Wars, U.S. War Powers*, American Enterprise Institute, Washington, D.C. (April 5, 2000)

*Kosovo and Multilateral War Powers*, University of Utah School of Law, Salt Lake City, UT (Mar. 23, 2000).

*Liberty, Resistance, and the Rule of Law*, Liberty Fund Colloquium, New Orleans, LA (Mar. 9-12, 2000)

*Globalization and the Constitution*, Athenaeum Speakers Series, Claremont-McKenna College, Claremont, CA (Feb. 17, 2000)

*Separation of Powers and Foreign Policy*, Federalist Society National Lawyers Convention, Washington, D.C. (Nov. 13, 1999) (panel chair)

*Ethics and Post-Cold War Humanitarian Intervention: Beyond Realism and Idealism*, Department of Political Science, UC Berkeley, Berkeley, CA (Nov. 6, 1999) (panel chair).

*Supreme Court 1998 Term*, Conference of the U.S. District Court, Northern District of California, Asilomar, CA (Oct. 18, 1999).

*The Spirit of the Laws*, Robbins Collection, Boalt Hall, (Oct. 15-16, 1999) (panel chair).

*The Separation of Powers and the 20<sup>th</sup> Century*, Federal Bar Association, Sacramento, CA (Sept. 25, 1999)

*Testimony on H.R. 1082: The Hate Crimes Prevention Act of 1999*, Committee on the Judiciary, U.S. House of Representatives, Washington, D.C. (August 4, 1999).

*Supreme Court 1998 Term*, Federal Judicial Center, Washington, D.C. (July 12, 1999).

*Supreme Court 1998 Term*, Judicial Conference, U.S. Court of Appeals for the Eighth Circuit, Kansas City, Missouri (July 9, 1999).

*Criticizing Judges and Judicial Independence*, Judicial Conference, U.S. Court of Appeals for the Eighth Circuit, Kansas City, Missouri (July 8, 1999)

*Established Religion and Compelled Speech: Links Between the Framing of the First Amendment of the Constitution and Modern Speech Doctrine*, The Robbins Collection in Religious and Civil Law & La V<sup>ème</sup> Section de l'Ecole Pratique des Hautes Etudes, Sciences Religieuses, La

Sorbonne (June 3, 1999).

*Supreme Court 1998 Term*, National Association of Attorneys General, Boise ID (May 27, 1999)

*Regulation of Federal Judicial Appellate Jurisdiction under the Prison Litigation Reform Act*, Federal Judicial Center Seminar for Federal Appellate Judges, Stanford Law School, Stanford, CA (April 15, 1999).

*Treaties as Public Lawmaking*, William and Mary Law School Faculty Colloquium, Williamsburg, VA (March 26, 1999).

*Delegating Sovereignty: Constitutional and Legal Implications of US Participation in Treaty Regimes*, Center for International Studies, New York University, New York, NY (Feb. 27, 1999) (participant).

*Impeachment and the Rule of Law*, Federalist Society, University of North Carolina Law School, Charlotte, North Carolina (Feb. 10, 1999).

*Clio at War: The Misuse of History in the War Powers Debate*, University of Colorado Law Review Symposium, Boulder, CO (Jan. 22, 1999).

*The Independent Counsel Statute in the Next Century*, Federalist Society Law Scholars Panel, Association of American Law Schools Annual Meeting, New Orleans, LA (Jan. 6, 1998) (panel chair).

*Impeachment and the Rule of Law*, San Francisco Unified School District Teachers Retreat, San Francisco, CA (Dec. 8, 1998).

*Impeachment and President Clinton*, Federalist Society Lawyers Chapter, Sacramento, CA (Dec. 7, 1998).

*Judicial Independence and Judicial Accountability*, 100<sup>th</sup> Anniversary Symposium, University of Southern California Law School, Los Angeles, CA (Nov. 20, 1998).

*Regulation of Biological and Chemical Weapons*, Hoover Institution/Stanford University Conference on Biological and Chemical Weapons, Stanford, CA (Nov. 17, 1998).

*The Clinton Administration and the Rule of Law*, Federalist Society Lawyer's Chapter, Pittsburgh, PA (Nov. 4, 1998).

*Presidential Privileges in the Age of Clinton*, University of Minnesota Law Review Symposium, University of Minnesota Law School, Minneapolis, MN (Oct. 20, 1998).

*Treaties as Public Lawmaking*, University of Virginia Law School Faculty Workshop, Charlottesville, VA (Oct. 9, 1998).

*Political Participation in the Reformation of State Institutions*, American Political Philosophy Association, Symposium on Judicial Imperialism, Washington, D.C. (Oct. 2, 1998).

*The October 1997 Supreme Court Term*, Judicial Conference of the U.S. Court of Appeals for the Fourth Circuit, White Sulphur Springs, West Virginia (June 27, 1998)

*The Law and Politics of the Independent Counsel Statute*, Institute for Governmental Studies, University of California at Berkeley, Berkeley, CA (April 22, 1998)

*The Senate's Prerogatives in the Judicial Appointments Process*, Federalist Society, University of Chicago Law School, Chicago, IL (Apr. 20, 1998).

*Sounds of Sovereignty: Federalism in the 1990's*, Symposium on "National Power and State Autonomy," Indiana University Law School, Bloomington, IN (Apr. 17, 1998)

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